

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION

United States of America *ex rel.* BRIANNA
MICHAELS and AMY WHITESIDES,

C/A No. 0:12-cv-03466-JFA

Relators,

vs.

AGAPE SENIOR COMMUNITY, INC.;
AGAPE SENIOR PRIMARY CARE, INC.;
AGAPE SENIOR SERVICES, INC.;
AGAPE SENIOR, LLC;
AGAPE MANAGEMENT SERVICES, INC.;
AGAPE COMMUNITY HOSPICE, INC.;
AGAPE NURSING AND
REHABILITATION CENTER, INC.
d/b/a AGAPE REHABILITATION OF
ROCK HILL a/k/a AGAPE SENIOR POST
ACUTE CARE CENTER – ROCK HILL a/k/a
EBENEZER SENIOR SERVICES, LLC;
AGAPE SENIOR FOUNDATION, INC.;
AGAPE COMMUNITY HOSPICE OF
ANDERSON, INC.; AGAPE HOSPICE OF THE
PIEDMONT, INC.; AGAPE COMMUNITY
HOSPICE OF THE GRAND STRAND, INC.;
AGAPE COMMUNITY HOSPICE OF THE
PEE DEE, INC.; AGAPE COMMUNITY
HOSPICE OF THE UPSTATE, INC.; AGAPE
HOSPICE HOUSE OF HORRY COUNTY, INC.;
AGAPE HOSPICE HOUSE OF LAURENS, LLC;
AGAPE HOSPICE HOUSE OF THE LOW
COUNTRY, INC.; AGAPE HOSPICE HOUSE
OF THE PIEDMONT, INC.; AGAPE
REHABILITATION OF CONWAY, INC.;
AGAPE SENIOR SERVICES FOUNDATION,
INC.; AGAPE THERAPY, INC.; AGAPE
HOSPICE; HOSPICE PIEDMONT; HOSPICE
ROCK HILL; and CAROLINAS
COMMUNITY HOSPICE, INC.,

Defendants.

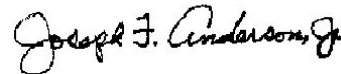
ORDER

Plaintiff has moved this Court to permit the use of statistical sampling in this *qui tam* action, ECF No. 166. The Court has carefully reviewed the briefs on the topic and researched the topic thoroughly. The Court heard extensive oral argument regarding statistical sampling on October 10, 2014. At the hearing, the Court took under advisement the instant motion.

After additional consideration and research on statistical sampling, the Court believes that based on the facts of this case, statistical sampling would be improper. Accordingly, the Court hereby DENIES Plaintiffs' Motion to Permit the Use of Statistical Sampling, ECF No. 166.

IT IS SO ORDERED.

March 16, 2015
Columbia, South Carolina

A handwritten signature in black ink, reading "Joseph F. Anderson, Jr." in a cursive script.

Joseph F. Anderson, Jr.
United States District Judge